

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Hannah Omolade	Team: Team # 2	CCRB Case #: 201405088	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 05/25/2014 6:40 PM	Location of Incident: § 87(2)(b)	Precinct: 88	18 Mo. SOL 11/25/2015	EO SOL 11/25/2015	
Date/Time CV Reported Tue, 05/27/2014 9:10 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/27/2014 9:10 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Scott Zeffiro	30365	946411	088 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph Greig	21862	897605	088 PCT
2. POM Kitwane Lewis	17024	951915	088 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Scott Zeffiro	Abuse: PO Scott Zeffiro did not obtain medical treatment for § 87(2)(b)	§ 87(2)(b)

Case Summary

On May 27, 2014, § 87(2)(b) filed this complaint with the CCRB via phone (encl. 3a – 3b). On May 25, 2014, at approximately 7:41 p.m., § 87(2)(b) was arrested for § 87(2)(b) at her home, located at § 87(2)(b), in Brooklyn. The following allegation resulted:

- **Allegation A: Abuse of Authority: PO Scott Zeffiro did not obtain medical treatment for § 87(2)(b)**

§ 87(2)(g)

This case was not eligible for mediation.

Results of Investigation

Civilian Statement

Complainant/Victim: § 87(2)(b)

- § 87(2)(b) was § 87(2)(b) at the time of this incident. She is a 5'1" tall, 142-pound black woman with brown hair and brown eyes.

CCRB Statement

§ 87(2)(b) was interviewed at the CCRB on June 2, 2014 (encl. 4a – 4g), and provided follow up information to the CCRB via phone on June 9, 2014 (encl. 5a). § 87(2)(g)

On May 25, 2014, at approximately 6:40 p.m., § 87(2)(b) and her child's father, § 87(2)(b) engaged in a physical fight inside of § 87(2)(b) home, located at § 87(2)(b) in Brooklyn. As a result, § 87(2)(b) sustained a lip laceration, abrasions to her neck and back, and contusions on her arms.

§ 87(2)(b) called the police and two white male officers in uniform, identified by § 87(2)(b) as PO Joseph Greig and PO Scott Zeffiro (see encl. 4a – 4g for officer descriptions). The officers arrested § 87(2)(b) and another individual in the apartment, § 87(2)(b).

PO Zeffiro asked § 87(2)(b) if she needed an ambulance and § 87(2)(b) responded that she did. § 87(2)(b) and PO Greig were present for this conversation.

At the 88th Precinct, § 87(2)(b) was lodged into a holding cell. PO Greig fingerprinted § 87(2)(b) and while doing so, she informed him that she was "supposed to be getting medical attention." PO Greig subsequently placed her back into the holding cell. While in the holding cell, § 87(2)(b) asked PO Kitwane Lewis (identified via investigation) when an ambulance would be called. PO Lewis did not answer. There were no other individuals in the cell with § 87(2)(b). However, § 87(2)(b) was in a cell beside § 87(2)(b) and she believed that he may have heard when she asked for medical attention.

When § 87(2)(b) arrived at Brooklyn Central Booking at 3 a.m., she declined to receive medical treatment. § 87(2)(b) did not seek medical attention after being released from police custody.

Attempts to Contact Civilians

Between July 17, 2014, and August 14, 2014, five attempts were made to contact § 87(2)(b) a potential witness, via phone. § 87(2)(b) was unavailable to the investigation (for a detailed description of attempts made, see encl. 18a – 18e).

NYPD Statements:

Subject Officer: PO SCOTT ZEFFIRO

- *PO Zeffiro was § 87(2)(b) old at the time of this incident. He is a 5'6" tall, 215-pound white man with brown hair and brown eyes.*
- *On May 25, 2014, PO Zeffiro worked from 3 p.m. to 11:35 p.m. as Patrol Sector A, B and C. They were in uniform and assigned to marked RMP 8787.*

Domestic Incident Report and Arrest Report

PO Zeffiro prepared the Domestic Incident Report (DIR) and arrest report regarding § 87(2)(b) and § 87(2)(b) dispute (encl. 7a – 7c; 8a – 8b). The DIR report noted that § 87(2)(b) had swelling to her face and she was not removed to the hospital. The arrest report noted that she was arrested for her § 87(2)(b) and her condition was “apparently normal.”

Memo Book

On May 25, 2014, at 7:23 p.m., PO Zeffiro responded to a past assault at § 87(2)(b) in Brooklyn. At 7:41 p.m., two individuals were arrested. At 7:50 p.m., they arrived at the 88th Precinct stationhouse (encl. 6a – 6c).

CCRB Statement

PO Scott Zeffiro was interviewed at the CCRB on October 2, 2014 (Enc. 9a – 9c).

At the time of this incident, PO Zeffiro and PO Greig responded to § 87(2)(b) in Brooklyn and observed § 87(2)(b) standing outside of the location. He appeared to have scratches on his face and his shirt was torn. Upon speaking to § 87(2)(b) he identified § 87(2)(b) as the assailant, and as she exited the building, § 87(2)(b) pointed her out to the officers.

The officers arrested § 87(2)(b) and then arrested § 87(2)(b) who attempted to interfere with the arrest. § 87(2)(b) did not appear to be injured, complain of injuries, or request an ambulance. PO Zeffiro did not recall whether he asked her if she needed an ambulance. PO Zeffiro never refused to provide § 87(2)(b) with medical treatment.

Witness Officer: PO JOSEPH GREIG

- *PO Greig was § 87(2)(b) old at the time of this incident. He is a 5'9" tall, 250-pound white man with salt and pepper hair and blue eyes.*
- *On May 25, 2014, PO Greig worked from 3 p.m. to 11:35 p.m. as a Patrol Sector for A, B and C with PO Zeffiro. Both officers were in uniform and assigned to marked RMP 8787.*

Memo Book

On May 25, 2014, at approximately 7:20 p.m., PO Greig responded to a past assault at § 87(2)(b), in Brooklyn. At 7:41 p.m., one individual was placed under arrest for § 87(2)(b) # § 87(2)(b) At 7:45 p.m., they arrived at the stationhouse to process the arrest (encl. 10a – 10b).

CCRB Statement

PO Joseph Greig was interviewed at the CCRB on October 1, 2014 (encl. 12a – 12c). § 87(2)(b)

(g)

At the time of this incident, § 87(2)(b) was arrested for § 87(2)(b) and transported to the stationhouse. PO Greig and PO Zeffiro never asked § 87(2)(b) if she needed an ambulance. PO Greig never heard PO Zeffiro refused to provide medical treatment to § 87(2)(b)

NYPD Documents

Command Log

The command log lists § 87(2)(b) condition as apparently normal and has no reference to injuries. It is noted that she did not request medical treatment (encl. 13a).

Medical Treatment of Prisoner Form

The medical treatment of prisoner form was unavailable to the CCRB, as the precinct did not have a copy (encl. 19c).

Arrest for Incident and Disposition

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian Criminal History

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian CCRB History

- This is the first CCRB complaint filed by § 87(2)(b) (encl. 2a). § 87(2)(b)

Subject Officer CCRB History

- PO Zeffiro has been a member of the service for six years and there are no substantiated CCRB allegations against him (encl. 1a).

Conclusion

Identification of Subject Officer

PO Zeffiro matched the description provided by § 87(2)(b) and acknowledged his interaction with her. § 87(2)(g)

Allegations Not Pleaded

§ 87(2)(b) alleged that she stated to PO Greig that she was “supposed to be getting medical attention,” and that she asked PO Lewis when an ambulance was going to be called.

§ 87(2)(g)

Investigative Findings and Recommendations

Allegation A: Abuse of Authority: PO Scott Zeffiro did not obtain medical treatment for

§ 87(2)(b)

§ 87(2)(b) alleged that she asked PO Zeffiro for medical treatment in the presence of PO Greig and § 87(2)(b) but he refused to provide it to her. § 87(2)(b) acknowledged that she refused medical treatment at Central Booking and did not independently seek medical treatment after being released from police custody. Both officers denied that PO Zeffiro refused to provide medical attention to § 87(2)(b) and § 87(2)(b) the only civilian witness, was unavailable to the investigation.

The Domestic Incident Report confirmed that § 87(2)(b) had visible physical injuries at the time of this incident, but the arrest report and command log noted her condition was normal.

§ 87(2)(g)

Team: 2

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date